

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ALEXANDER FINANCE C.D., INC.	:	
Plaintiff,	:	CIVIL ACTION
	:	
v.	:	
	:	
ARKADY SIROTOVSKY, et.al.,	:	
Defendants and Third-Party	:	No. 02 CV 4977
Plaintiffs,	:	
	:	
v.	:	
	:	JURY TRIAL DEMANDED
PENN FINANCIAL GROUP, INC. et.al.	:	
Third-Party Defendants.	:	

**THIRD-PARTY DEFENDANT GENE BURD'S MOTION TO DISMISS
THE COUNTERCLAIM AS AGAINST HIM
OR, ALTERNATIVELY, FOR A MORE DEFINITE STATEMENT**

Third-Party Defendant GENE BURD moves this Court, for the reasons set forth in the attached Memorandum of Law, to dismiss the Counterclaim of Defendants/Third-Party Plaintiffs ARKADY SIROTOVSKY, NATALIA SIROTOVSKY, MYKHAILO FITIAK, LARISSA FITIAK, ADOLF GAVRILOV, and LYUDMILA ANDRIANOVA, pursuant to the Federal Rule of Civil Procedure 12(b)(6); or, alternatively, to direct Plaintiffs to file a More Definite Statement pursuant to the Federal Rule of Civil Procedure 12(e).

Respectfully submitted,

/s/ Gene Burd

Gene Burd, Esq.
MARKS & SOKOLOV, LLC
1835 Market Street, 28th Floor
Philadelphia, PA 19103
(215) 569-8901
On Behalf of Himself

Dated: August 9, 2004